

STATE OF MICHIGAN  
JUDICIAL DISTRICT  
JUDICIAL CIRCUIT  
COUNTY PROBATEMOTION AND/OR ORDER TO  
SHOW CAUSE

CASE NO.

Court address

Court telephone no.

Plaintiff(s)/Petitioner(s)

Defendant(s)/Respondent(s)/Probationer

v

☐ Probate☐ Juvenile

In the matter of \_\_\_\_\_

## MOTION AND AFFIDAVIT

1. I am interested in this matter as \_\_\_\_\_.

☐ has failed to comply with an order dated \_\_\_\_\_.2. \_\_\_\_\_ ☐ is in contempt for \_\_\_\_\_.

Name (type or print)

State with particularity admissible facts establishing this motion.

3. I request an order directing \_\_\_\_\_ to show cause why  
Name (type or print)☐ a. he/she should not be found in ☐ civil ☐ criminal contempt of court.☐ b. judgment should not be entered against him/her (as surety/agent) for the full amount of recognizance.☐ c. judgment should not be entered against him/her for failure to file a garnishee disclosure.

4. This affidavit is made on my personal knowledge and, if sworn as a witness, I can testify competently to the facts in this motion and affidavit.

Signature

Subscribed and sworn to before me on \_\_\_\_\_, \_\_\_\_\_ County, Michigan.  
DateMy commission expires: \_\_\_\_\_ Signature: \_\_\_\_\_  
Date

Notary public, State of Michigan, County of \_\_\_\_\_

## ORDER

TO: \_\_\_\_\_

If you require special accommodations to use the court because of a disability or if you require a foreign language interpreter to help you fully participate in court proceedings, please contact the court immediately to make arrangements.

## IT IS ORDERED:

5. You must appear before this court on \_\_\_\_\_ at \_\_\_\_\_ at \_\_\_\_\_ ☐ the court address above ☐ courtroom no. \_\_\_\_\_  
Date Time☐

to show cause why

☐ you should not be held in ☐ civil ☐ criminal contempt☐ for failure to comply with the order of this court as follows:☐ for the reasons stated in the motion.☐ a judgment should not be entered against you.☐ your case should not be dismissed.☐ other: \_\_\_\_\_

6. Failure to appear for a contempt hearing may result in a bench warrant being issued for your arrest.

7. A copy of this must be served ☐ personally ☐ by mail on the person ordered to appear at least \_\_\_\_\_ days before the hearing.

Date

Judge

Bar no.

**PROOF OF SERVICE**

**MOTION AND/OR ORDER TO  
SHOW CAUSE**

Case No. \_\_\_\_\_

**TO PROCESS SERVER:** You must make and file your return with the court clerk. If you are unable to complete service, you must return this original and all copies to the court clerk.

**CERTIFICATE / AFFIDAVIT OF SERVICE / NONSERVICE**

☐ **OFFICER CERTIFICATE**

I certify that I am a sheriff, deputy sheriff, bailiff, appointed court officer, or attorney for a party [MCR 2.104(A)(2)], and that: (notarization not required)

**OR**

☐ **AFFIDAVIT OF PROCESS SERVER**

Being first duly sworn, I state that I am a legally competent adult who is not a party or an officer of a corporate party, and that: (notarization required)

- ☐ I served a copy of the motion and/or order to show cause by:  
☐ personal service      ☐ first-class mail      on:

| Name(s) | Complete address(es) of service | Day, date, time |
|---------|---------------------------------|-----------------|
|         |                                 |                 |

- ☐ I have personally attempted to serve the motion and/or order to show cause on the following person(s) and have been unable to complete service.

| Name(s) | Complete address(es) of service | Day, date, time |
|---------|---------------------------------|-----------------|
|         |                                 |                 |
|         |                                 |                 |
|         |                                 |                 |

I declare that the statements above are true to the best of my information, knowledge, and belief.

|                       |                |     |                  |
|-----------------------|----------------|-----|------------------|
| Service fee           | Miles traveled | Fee |                  |
| \$                    |                | \$  |                  |
| Incorrect address fee | Miles traveled | Fee | <b>TOTAL FEE</b> |
| \$                    |                | \$  | \$               |

Signature \_\_\_\_\_

Name (type or print) \_\_\_\_\_

Title \_\_\_\_\_

Subscribed and sworn to before me on \_\_\_\_\_, \_\_\_\_\_ County, Michigan.  
Date

My commission expires: \_\_\_\_\_ Signature: \_\_\_\_\_  
Date Deputy court clerk/Notary public

Notary public, State of Michigan, County of \_\_\_\_\_

**ACKNOWLEDGMENT OF SERVICE**

I acknowledge that I have received service of this motion and/or order to show cause on \_\_\_\_\_.  
Day, date, time

Signature \_\_\_\_\_ on behalf of \_\_\_\_\_.

For use by the court clerk only when the show cause proceeding is initiated by the court.

**CERTIFICATE OF MAILING**

I certify that on this date a copy of this motion and/or order to show cause was served on the person ordered to appear by first-class mail addressed to his or her last-known address as defined by MCR 2.107(C)(3).

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature